

104TH CONGRESS
2D SESSION

S. 1856

To establish a commission to study and provide recommendations on restoring solvency in the medicare program under title XVIII of the Social Security Act.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 1996

Mr. DOLE (for himself, Mr. ROTH, Mr. SIMPSON, Mr. PRESSLER, Mr. HATCH, Mr. CHAFEE, Mr. MURKOWSKI, and Mr. COCHRON) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish a commission to study and provide recommendations on restoring solvency in the medicare program under title XVIII of the Social Security Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Restoration
5 Act of 1996”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 National Commission on Medicare Reform (referred to in
4 this Act as the “Commission”).

5 **SEC. 3. FINDINGS.**

6 The Congress finds that—

7 (1) the medicare program under title XVIII of
8 the Social Security Act provides essential health care
9 insurance to this Nation’s senior citizens and to in-
10 dividuals with disabilities;

11 (2) the Federal Hospital Insurance Trust Fund
12 will be bankrupt in the year 2001, and faces even
13 greater solvency problems in the long-run with the
14 aging of the baby boom generation;

15 (3) the trustees of the trust funds of the medi-
16 care program have reported that growth in spending
17 within the Federal Supplementary Medical Insur-
18 ance Trust Fund is unsustainable; and

19 (4) expeditious action is needed in order to re-
20 store the fiscal health of the medicare program and
21 to maintain this Nation’s commitment to senior citi-
22 zens and to individuals with disabilities.

23 **SEC. 4. DUTIES OF THE COMMISSION.**

24 The Commission shall—

25 (1) review relevant analyses of the current,
26 short-term, and long-term financial condition of the

1 Federal Hospital Insurance Trust Fund and the
2 Federal Supplementary Medical Insurance Trust
3 Fund under title XVIII of the Social Security Act;

4 (2) identify problems that threaten the solvency
5 of such trust funds;

6 (3) analyze potential solutions to such problems
7 that will both assure the financial integrity of the
8 medicare program under such title and the provision
9 of appropriate benefits under such program;

10 (4) make recommendations to restore the short-
11 range and long-range solvency of the Federal Hos-
12 pital Insurance Trust Fund, to provide for sustain-
13 able growth of the Supplementary Medical Insurance
14 Trust Fund, and on related matters as the Commis-
15 sion deems appropriate; and

16 (5) review and analyze such other matters as
17 the Commission deems appropriate.

18 **SEC. 5. MEMBERSHIP.**

19 (a) NUMBER AND APPOINTMENT.—The Commission
20 shall be composed of 15 members, of whom—

21 (1) five shall be appointed by the President, of
22 whom not more than 3 shall be of the same political
23 party;

24 (2) five shall be appointed by the Majority
25 Leader of the Senate, in consultation with the Mi-

1 nurity Leader of the Senate, of whom not more than
2 3 shall be of the same political party; and

3 (3) five shall be appointed by the Speaker of
4 the House of Representatives, in consultation with
5 the Minority Leader of the House of Representa-
6 tives, of whom not more than 3 shall be of the same
7 political party.

8 (b) COMPTROLLER GENERAL.—The Comptroller
9 General of the United States shall advise the Commission
10 on the methodology to be used in identifying problems and
11 analyzing potential solutions in accordance with section 4.

12 (c) TERM OF APPOINTMENT.—The members shall
13 serve on the Commission for the life of the Commission.

14 (d) MEETINGS.—The Commission shall locate its
15 headquarters in the District of Columbia, and shall meet
16 at the call of the Chairperson.

17 (e) QUORUM.—Ten members of the Commission shall
18 constitute a quorum, but a lesser number may hold hear-
19 ings.

20 (f) CHAIRPERSON AND VICE CHAIRPERSON.—Not
21 later than 15 days after all the members of the Commis-
22 sion are appointed, such members shall designate a Chair-
23 person and Vice Chairperson from among the members of
24 the Commission.

1 (g) VACANCIES.—A vacancy on the Commission shall
2 be filled in the manner in which the original appointment
3 was made not later than 30 days after the Commission
4 is given notice of the vacancy.

5 (h) COMPENSATION.—Members of the Commission
6 shall receive no additional pay, allowances, or benefits by
7 reason of their service on the Commission.

8 (i) EXPENSES.—Each member of the Commission
9 shall receive travel expenses and per diem in lieu of sub-
10 sistence in accordance with sections 5702 and 5703 of title
11 5, United States Code.

12 **SEC. 6. STAFF AND SUPPORT SERVICES.**

13 (a) DIRECTOR.—

14 (1) APPOINTMENT.—Upon consultation with
15 the members of the Commission, the Chairperson
16 shall appoint a Director of the Commission.

17 (2) COMPENSATION.—The Director shall be
18 paid the rate of basic pay for level V of the Execu-
19 tive Schedule.

20 (b) STAFF.—With the approval of the Commission,
21 the Director may appoint such personnel as the Director
22 considers appropriate.

23 (c) APPLICABILITY OF CIVIL SERVICE LAWS.—The
24 staff of the Commission shall be appointed without regard
25 to the provisions of title 5, United States Code, governing

1 appointments in the competitive service, and shall be paid
2 without regard to the provisions of chapter 51 and sub-
3 chapter III of chapter 53 of such title relating to classi-
4 fication and General Schedule pay rates.

5 (d) EXPERTS AND CONSULTANTS.—With the ap-
6 proval of the Commission, the Director may procure tem-
7 porary and intermittent services under section 3109(b) of
8 title 5, United States Code.

9 (e) STAFF OF FEDERAL AGENCIES.—Upon the re-
10 quest of the Commission, the head of any Federal agency
11 may detail any of the personnel of such agency to the
12 Commission to assist in carrying out the duties of the
13 Commission.

14 (f) OTHER RESOURCES.—The Commission shall have
15 reasonable access to materials, resources, statistical data,
16 and other information from the Library of Congress and
17 agencies and elected representatives of the executive and
18 legislative branches of the Federal Government. The
19 Chairperson of the Commission shall make requests for
20 such access in writing when necessary.

21 (g) PHYSICAL FACILITIES.—The Administrator of
22 the General Services Administration shall locate suitable
23 office space for the operation of the Commission. The fa-
24 cilities shall serve as the headquarters of the Commission

1 and shall include all necessary equipment and incidentals
2 required for the proper functioning of the Commission.

3 **SEC. 7. POWERS OF COMMISSION.**

4 (a) HEARINGS.—The Commission may conduct pub-
5 lic hearings or forums at the discretion of the Commission,
6 at any time and place the Commission is able to secure
7 facilities and witnesses, for the purpose of carrying out
8 the duties of the Commission.

9 (b) DELEGATION OF AUTHORITY.—Any member or
10 agent of the Commission may, if authorized by the Com-
11 mission, take any action the Commission is authorized to
12 take by this section.

13 (c) GIFTS, BEQUESTS, AND DEVISES.—The Commis-
14 sion may accept, use, and dispose of gifts, bequests, or
15 devises of services or property, both real and personal, for
16 the purpose of aiding or facilitating the work of the Com-
17 mission. Gifts, bequests, or devises of money and proceeds
18 from sales of other property received as gifts, bequests,
19 or devises shall be deposited in the Treasury and shall be
20 available for disbursement upon order of the Commission.

21 (d) MAILS.—The Commission may use the United
22 States mails in the same manner and under the same con-
23 ditions as other Federal agencies.

1 **SEC. 8. REPORTS.**

2 Not later than June 30, 1997, the Commission shall
3 submit a report to the President and to the Congress on
4 the findings and conclusions of the Commission.

5 **SEC. 9. TERMINATION.**

6 The Commission shall terminate on the date which
7 is 30 days after the date the Commission submits its re-
8 port to the President and to the Congress under
9 section 8.

10 **SEC. 10. FUNDING.**

11 The Secretary of Health and Human Services shall
12 provide to the Commission, out of funds otherwise avail-
13 able to such Secretary, such sums as are necessary to
14 carry out the purposes of the Commission.

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